

## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 263503  
**Name:** The Vurger Co  
**Address:** Unit 2, Transmission House Development,  
11-13 Tib Street, Manchester, M4 1PQ  
**Ward:** Piccadilly  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** The Vurger Co Ltd  
**Date of application:** 10 September 2021

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

### Proposed licensable activities and opening hours to be granted

**The supply of alcohol for consumption both on and off the premises:**

Mon to Sun noon to 11pm

**Opening hours:**

Mon to Sun noon to 11pm

### Representations received

Greater Manchester Police	GMP comment that the conditions offered in the operating schedule need to be worded more robustly, and extra conditions are needed, in order to uphold the licensing objectives. The conditions agreed with GMP reflect their specific concerns.
Licensing & Out of Hours Compliance	LOOH team have concerns in relation to potential nuisance arising from litter, people smoking, and drinking on the street. Conditions have been agreed in relation to these concerns.
Trading Standards	The Trading Standards Service compares the operating schedule with the MCC Licensing Policy. The agreed conditions reflect the

Service	concerns of the Trading Standards Service.
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## **Agreements between parties**

### **Greater Manchester Police:**

- The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
- The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.
- *(A similar condition was proposed by Trading Standards – please use composite condition at end) The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.*
- *(A similar condition was proposed by Trading Standards – please use composite condition at end) In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.*

### **Licensing & Out of Hours Compliance:**

- Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
- The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.

**Trading Standards Service:**

- The Challenge 25 scheme must be operated including at the point of delivery to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
- The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.
- *(A similar condition was proposed by GMP – please use composite condition at end) The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.*
- *(A similar condition was proposed by GMP – please use composite condition at end) In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice.*
- *(A similar condition was proposed by GMP – please use composite condition at end) Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.*
- A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

**Composite conditions:**

- The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
- In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

**Background documents (available for public inspection):**

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements